

Remarks

Applicants sincerely thank Examiner Kaushal for the interview of January 12, 2011. An interview summary is filed herewith. By way of the foregoing amendment, Claims 29, 30, 35, 44-46, 48-59, 63, 65, 67, and 72, and 74-79 are currently pending. Claims 30 and 57 were withdrawn by the previous Examiner as being drawn to nonelected inventions. Applicants respectfully request consideration of all pending claims at this time. Claims 1-28, 31-34, 36-43, 60-62, 64, 66, 68, 70, and 73 were previously cancelled, and Claims 47, 69, and 71 are hereby cancelled. Applicants understand that the claim set was amended after filing of the Request for Continued Examination filed on November 24, 2010. As such, changes to the claim set are presented here based on the previously amended claims.

Claims 29, 35, 44, 51, 52, 55-58, 63, 65, and 67 are amended without prejudice to, or disclaimer of, the underlying subject matter. Claims 74-79 are newly added. Support for these amendments can be found throughout the specification, figures and claims as originally filed, for example, page 5, lines 30-31; page 12, lines 7-12; page 5, line 18 through page 6, line 6 of the Marked-up Specification filed June 9, 2008. No new matter enters by way of this amendment. Based on the interview with Examiner Kaushal, Applicants understand that the present claims are in condition for allowance.

Maintained rejection under 35 U.S.C. § 112, New Matter

Claims 69 and 70 stand rejected under 35 U.S.C. § 112, first paragraph, as allegedly containing subject matter that was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventors, at the time the application was filed, had possession of the claimed invention. The Examiner alleges that the instant specification is devoid of description for “wherein the rate of hypermutation in said genetically modified lymphoid cell is at least ten times higher than the mutation rate in said lymphoid cell.” *See, Office action at pages 2-3.*

While Applicants disagree with the rejection, the rejected Claims 69 and 70 are canceled solely to facilitate prosecution. Accordingly, Applicants request withdrawal of the rejection.

New rejection under 35 U.S.C. § 112, New Matter

Claims 29, 60, 72, and 73 stand rejected under 35 U.S.C. § 112, first paragraph, as allegedly containing subject matter that was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventors, at the time the application was filed, had possession of the claimed invention. The Examiner alleges that the instant specification is devoid of description for “wherein said transgenic target nucleic acid sequence is in the absence of an adjacent donor sequence capable of serving as a gene conversion donor [for said transgenic target nucleic acid sequence.]” Office action at page 4. The Examiner alleges that none of the support cited by Applicants addresses adjacent donor sequences. Applicants disagree.

Applicants understand that this rejection is rendered moot by at least the previously filed arguments, the foregoing amendments or cancelation of the rejected claims. Accordingly, Applicants request that the rejection be withdrawn.

Rejections under 35 U.S.C. § 112, Written Description

Claims 29, 35, 44-56, 58-61, and 63-73 stand rejected under 35 U.S.C. § 112, first paragraph, as allegedly failing to comply with the written description requirement. The Examiner alleges that “[t] he specification is silent [] on any other genetically modified variants of lymphoid cells from any species of animals, or a DT40 or similar cell that has a hypermutation rate higher than the rate of its non-genetically modified counterpart that contains ψV donors.” Office action at page 5.

Applicants understand that this rejection is rendered moot by at least the previously filed arguments, the foregoing amendments or cancelation of the rejected claims. Accordingly, Applicants request that the rejection be withdrawn.

Rejections under 35 U.S.C. § 112, Enablement

Claims 29, 35, 44-56, 58-61, and 63-73 stand rejected under 35 U.S.C. § 112, first paragraph, as allegedly failing to comply with the enablement requirement. The Examiner alleges that the claims "lack the requisite method steps" since "the genes or proteins controlling gene conversion and hypermutation must be selectively modified." Office action at page 8.

Applicants understand that this rejection is rendered moot by at least the previously filed arguments, the foregoing amendments or cancelation of the rejected claims. Accordingly, Applicants request that this rejection be withdrawn.

Conclusion

In view of the above, each of the presently pending claims is believed to be in immediate condition for allowance. Accordingly, the Examiner is respectfully requested to withdraw the outstanding rejections of the claims, and to pass this application to issue. The Examiner is encouraged to contact the undersigned at (202) 942-5186 should any additional information be necessary for allowance.

Respectfully submitted,


David R. Marsh (Reg. Atty. No. 41,408)
Kristan L. Lansbery (Reg. Atty. No. 53,183)

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ARNOLD & PORTER LLP
Attn: IP Docketing Dept.
555 Twelfth Street, N.W.
Washington, D.C. 20004-1206
(202) 942-5000 telephone
(202) 942-5999 facsimile